## draft 2

## SUBSTITUTE FOR

## HOUSE BILL NO. 5111

A bill to amend 1976 PA 451, entitled "The revised school code,"

(MCL 380.1 to 380.1852) by adding section 1280f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 1280F. (1) BEGINNING WITH PUPILS ENROLLED IN GRADE 1 1 2 DURING THE 2015-2016 SCHOOL YEAR, EXCEPT AS OTHERWISE PROVIDED IN 3 THIS SECTION, IF A PUPIL ENROLLED IN GRADE 3 IN A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY ACHIEVES A SCORE OF NOT PROFICIENT IN 4 5 READING ON THE GRADE 3 STATE ASSESSMENT, THE BOARD OF THE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF THE PUBLIC SCHOOL ACADEMY IN 6 7 WHICH THE PUPIL IS ENROLLED SHALL ENSURE THAT THE PUPIL IS NOT 8 ENROLLED IN GRADE 4 UNTIL THE PUPIL ACHIEVES A SCORE OF AT LEAST 9 PROFICIENT IN READING ON THE GRADE 3 STATE ASSESSMENT.

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(2) IF A CHILD SEEKS TO ENROLL FOR THE FIRST TIME IN A SCHOOL

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DISTRICT OR PUBLIC SCHOOL ACADEMY IN GRADE 4, THE SCHOOL DISTRICT
 OR PUBLIC SCHOOL ACADEMY SHALL NOT ALLOW THE CHILD TO ENROLL IN
 GRADE 4 UNLESS THE CHILD HAS ACHIEVED A SCORE OF AT LEAST
 PROFICIENT IN READING ON THE GRADE 3 STATE ASSESSMENT.

5 (3) IF THE SUPERINTENDENT OF THE PUPIL'S SCHOOL DISTRICT OR 6 CHIEF ADMINISTRATOR OF THE PUPIL'S PUBLIC SCHOOL ACADEMY GRANTS A 7 GOOD CAUSE EXEMPTION FROM THE REQUIREMENTS OF SUBSECTION (1) FOR A 8 PUPIL, THEN A PUPIL MAY BE ENROLLED IN GRADE 4 WITHOUT MEETING THE 9 REQUIREMENTS OF SUBSECTION (1). A GOOD CAUSE EXEMPTION MAY BE 10 GRANTED ONLY ACCORDING TO THE PROCEDURES UNDER SUBSECTION (4) AND 11 ONLY FOR 1 OF THE FOLLOWING:

12 (A) THE PUPIL HAS DEMONSTRATED GRADE 3 LEVEL PERFORMANCE IN
13 READING ON AN ALTERNATIVE STANDARDIZED READING ASSESSMENT APPROVED
14 FOR THIS PURPOSE BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

(B) THE PUPIL HAS DEMONSTRATED GRADE 3 LEVEL PERFORMANCE IN
READING THROUGH A PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING
MASTERY OF ALL GRADE 3 STATE READING STANDARDS THROUGH MULTIPLE
WORK SAMPLES.

(C) THE PUPIL IS A STUDENT WITH A DISABILITY WHOSE
INDIVIDUALIZED EDUCATION PROGRAM TEAM DETERMINES THAT THE PUPIL
SHOULD NOT BE RETAINED AT GRADE LEVEL BASED ON CONSIDERATIONS
RELATED TO THE PUPIL'S DISABILITY.

(D) THE PUPIL IS A LIMITED ENGLISH PROFICIENT STUDENT WHO HAS
HAD LESS THAN 2 YEARS OF INSTRUCTION IN AN ENGLISH LANGUAGE LEARNER
PROGRAM.

26 (4) THE SUPERINTENDENT OF A SCHOOL DISTRICT OR CHIEF
27 ADMINISTRATOR OF A PUBLIC SCHOOL ACADEMY SHALL GRANT A GOOD CAUSE

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EXEMPTION UNDER SUBSECTION (3) ONLY THROUGH THE FOLLOWING
 PROCEDURE:

3 (A) AT THE REQUEST OF THE PUPIL'S PARENT OR LEGAL GUARDIAN OR 4 UPON THE TEACHER'S OWN INITIATIVE, THE PUPIL'S GRADE 3 TEACHER 5 SUBMITS TO THE PRINCIPAL OR OTHER CHIEF ADMINISTRATOR OF THE 6 PUPIL'S SCHOOL A RECOMMENDATION FOR A GOOD CAUSE EXEMPTION ALONG 7 WITH DOCUMENTATION THAT INDICATES THAT A GOOD CAUSE EXEMPTION UNDER SUBSECTION (3) APPLIES TO THE PUPIL. THE DOCUMENTATION SHALL 8 9 CONSIST ONLY OF A STATEMENT IDENTIFYING THE GOOD CAUSE EXEMPTION 10 BEING REQUESTED, THE EXISTING READING IMPROVEMENT PLAN OR 11 INDIVIDUALIZED EDUCATION PROGRAM FOR THE PUPIL, AND THE ALTERNATIVE 12 ASSESSMENT RESULTS OR PUPIL PORTFOLIO RESULTS FOR THE PUPIL, AS 13 APPLICABLE.

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14 (B) FOR A PUPIL ENROLLED IN A SCHOOL OPERATED BY A SCHOOL 15 DISTRICT, THE PRINCIPAL OF THE PUPIL'S SCHOOL SHALL REVIEW AND DISCUSS THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND 16 17 SHALL MAKE A DETERMINATION IN WRITING OF WHETHER OR NOT TO 18 RECOMMEND THAT THE GOOD CAUSE EXEMPTION BE GRANTED FOR THE PUPIL. 19 IF THE PRINCIPAL DETERMINES TO RECOMMEND THAT THE GOOD CAUSE 20 EXEMPTION BE GRANTED, HE OR SHE SHALL SUBMIT THAT RECOMMENDATION TO 21 THE SUPERINTENDENT OF THE SCHOOL DISTRICT. THE SUPERINTENDENT OF 22 THE SCHOOL DISTRICT SHALL ACCEPT OR REJECT THE PRINCIPAL'S 23 RECOMMENDATION IN WRITING, AND THE SUPERINTENDENT'S DECISION TO 24 GRANT OR DENY THE EXEMPTION IS FINAL.

(C) FOR A PUPIL ENROLLED IN A PUBLIC SCHOOL ACADEMY, THE CHIEF
ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY SHALL REVIEW AND DISCUSS
THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND SHALL MAKE

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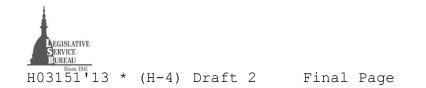
A DETERMINATION IN WRITING OF WHETHER OR NOT TO GRANT THE GOOD
 CAUSE EXEMPTION FOR THE PUPIL. THE CHIEF ADMINISTRATOR'S DECISION
 IS FINAL.

4 (5) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL NOT
5 RETAIN A PUPIL IN GRADE 3 UNDER THIS SECTION FOR MORE THAN 2 SCHOOL
6 YEARS.

7 (6) WITH THE AGREEMENT OF THE PUPIL'S TEACHER AND THE PUPIL'S
8 PARENT OR LEGAL GUARDIAN, A PUPIL MAY RETAKE THE GRADE 3 STATE
9 READING ASSESSMENT BEFORE GRADE 4 TO ATTEMPT TO ACHIEVE A SCORE OF
10 AT LEAST PROFICIENT IN READING FOR THE PURPOSES OF THIS SECTION.

(7) TO FURTHER THE GOAL OF ENCOURAGING READING PROFICIENCY FOR
ALL PUPILS BY THE END OF GRADE 3 AND TO HELP ALLOW TEACHERS AND
SCHOOLS TO FOCUS ON THIS GOAL, THE DEPARTMENT SHALL NOT INCLUDE A
SOCIAL STUDIES COMPONENT ON THE GRADE 3 STATE ASSESSMENT OR ON ANY
PILOT OF THAT ASSESSMENT.

16 Enacting section 1. This amendatory act does not take effect
17 unless House Bill No. 5144 of the 97th Legislature is enacted into
18 law.



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